

COMMISSION ON COMMON OWNERSHIP COMMUNITIES
Minutes of the Monthly Meeting
Via Zoom Audio-Visual Conference
Wednesday, August 5, 2020

The monthly meeting of the Commission on Common Ownership Communities was called to order at 7:04 pm by Chairman Mark Fine.

Commissioners present: [14] ANDERSON, FINE, GARDNER, GELFOUND, GIZA, GRUBER, MALAMUD, MOORE, MURTHY, MYO KHIN, PERPER, SMITH, STEINBACH, VINEY, YOUNG.

Commissioners absent: n/a

Staff present: Tim Goetzinger, DHCA Director of Finance; Walter Wilson, Associate County Attorney; Staff: Mark Anders & Ife Fabayo.

Guests: Aseem Nigam, Director, DHCA & Chris Anderson, Single Family Programs Mgr., DHCA; Richard Brandes, Deb Munsey, pweissge, Carol Portis, Jim Cagley, Hillary Collins, Tom Rand, Jo Ellen Bilanin, Ginger Naglee, Gianmarco Gallerini, Jimi S., & Leslie Brown

1. Remarks from the Director:

- a. Welcome to new commissioners
- b. Discussion of a County \$2 million grant program to assist common ownership community associations with emergency covid-related basic services expenses, targeted to associations with sales in the bottom 10% and master-meter communities with average sales under \$95k [approximately 105 associations.
- c. Discussion of eviction & homeless prevention initiatives, providing rent assistance not rent forgiveness, and waivers or incentives to entice landlords to participate in plan.
- d. Legislation being developed to require coc reserve studies, similar to PG County.

2. Approval of Minutes: Commissioner Perper moved to approve the minutes of the July 1, 2020 monthly meeting, with Commissioner Smith seconding. The motion was approved by unanimous consent.

3. Community Forum: Discussion followed questions re how to hold annual meetings & elections in the time of covid. Commissioner Fine is meeting with Karen Straughn [Office of the Md. Attorney General] to draft policy.

4. Submission of disputes for Commission consideration:

Jurisdiction – Default cases:

#2020-086, Churchill Village South HOA v. Savage, etal.- Commissioner Gardner moved to accept jurisdiction and send the case to a default hearing, Commissioner Perper seconding. After discussion the motion was approved by unanimous consent.

#2020-089, Greencastle Lakes Community Assoc. v. Balde – Commissioner Smith moved to accept jurisdiction and send the case to a default hearing, Commissioner Gelfound seconding. The motion was approved by unanimous consent.

#2020-093, Churchill Village South HOA v. XI – Commissioner Viney moved to accept jurisdiction and send the case to a default hearing, Commissioner Myo Khin seconding. The motion was approved by unanimous consent.

Jurisdiction - Contested cases:

#2020-050, Brown v. Americana Finnmark Condominium: Commissioner Perper moved to accept jurisdiction and send the case to a hearing panel, with Commissioner Viney seconding. After discussion, the motion was approved by majority vote, Commissioner Gardner recused.

#2020-054, Katz v. Mutual 22 Condominium of Rossmoor Inc.: Commissioner Gardner moved to deny jurisdiction, Commissioner Smith seconding. After discussion the motion was approved by majority vote, Commissioners Steinback and Fine recused.

#2020-055, Irby v. Georgian Colonies Condominium Association: Complaint tabled

#2020-078, Brown v. Heron's Cove Condominium:

Re Complaint #1 & #2: Commissioner Gardner moved to deny jurisdiction, with Commissioner Giza seconding. After discussion, the motion was approved by a majority vote, Commissioners Fine & Perper recused.

Re Complaint #3: Commissioner Viney moved to accept jurisdiction and send the case to a hearing panel, with Commissioner Murthy seconding. After discussion the motion failed by a majority vote, Commissioners Fine and Perper recused.

#2020-095, Wanda Boveja v. West Spring Condominium: Commissioner Viney moved to accept jurisdiction and send the case to a hearing panel combined with case #2020-079 Raj Boveja v. West Spring Condominium, Commissioner Gelfound seconding. After discussion the motion failed by a majority vote, Commissioner Viney in favor, Commissioners Fine, Steinbach, & Myo Khin recused.

5. **Decisions & Orders Issued:** #2020-036, Kelly Taylor v. Mutual 14 Condominium of Rossmoor Inc.

6. **Decisions & Orders on Appeal:**

#2018-040, Dillin et al, v. The Willoughby of Chevy Chase and

#2018-061, Nadri v. The Willoughby of Chevy Chase (consolidated) – CCOC decision upheld in Circuit Court, appealed to Court of Special Appeals. **Decision pending.**

#2019-070, Washington v. Silverton Condominium – **Oral hearing scheduled for 8/11/2020.**

#2019-038, Kenny v. Council of Unit Owners of Cherington Condominium **[Status?]**

7. **County Attorney's report:** Decision & Order(s) under review by Mr. Wilson – None

8. **DHCA status report:** Mr. Goetzinger discussed the June 2020 year-end & July 2020 statistical report and answer commissioners' questions. Gaithersburg, with about 1,200 associations, hasn't decided to join the CCOC yet. MOCO will not send out requests for payment of licensing fees until at least 60 days after emergency is lifted. It is not known when that will be and the County is aware of the financial consequences.

9. **Chairman's Report:**

- Chairman Fine welcomed new commissioners.
- Chairman Fine referred to the new committee assignments, with the addition of Commissioners Gelfound & Moore to the Legislative Committee.

- Chairman Fine proposed a motion to appoint the Panel Chairs listed to serve through year-end 2020, Commissioner Myo Khin seconding. The motion was approved by unanimous consent.
- Chairman Fine informed the commission that the mediators currently available to the commission are Rene Sandler, Jeffrey Hamburger, Galia Steinbach, Mark Anders, and Mark Fine.
- Chairman Fine is developing a webinar to train associations in the use of Zoom and other platforms for their meetings.
- Chairman Fine provided an update on the launch of the searchable database of the Commission's Decision & Orders. IT says they are 99% sure it'll launch this week. An updated "Staff's Guide to the Procedures & Decisions..." is ready to be printed within days and will be made available on the CCOC website.
- Chairman Fine has been in consultation with Karen Straughn [Office of the Maryland Attorney General] and representatives from PG County to develop a similar Reserve Study bill for Montgomery County.
- Chairman Fine, at the request of the County Executive, will ask the Legislative Committee to complete their proposed amendments to COMCOR 10B.

10. Committee reports:

- Education Committee ---
Members: Commissioners Anderson, Fine, Gelfound, **Giza [Chair]**, Gruber, Moore, Perper, Smith, & Steinbach --- Charter for committee being developed.
- Legislation & Budget Committee ---
Members: Commissioners Fine, **Gardner [Chair]**, & Viney + Gelfound & Moore] ---
Zoom Meeting August 18th, 3rd Tuesday of the month @ 4pm
- Policies & Procedures and Information Technology Committee ---
Members: Commissioners Fine, **Myo Khin [Chair]**, Murthy, & Young --- No report at this time

11. **Adjournment:** Meeting adjourned at 9:23 pm.

Next meeting: Wednesday, September 2, 2020 at 7:00pm